

ZON04-00030



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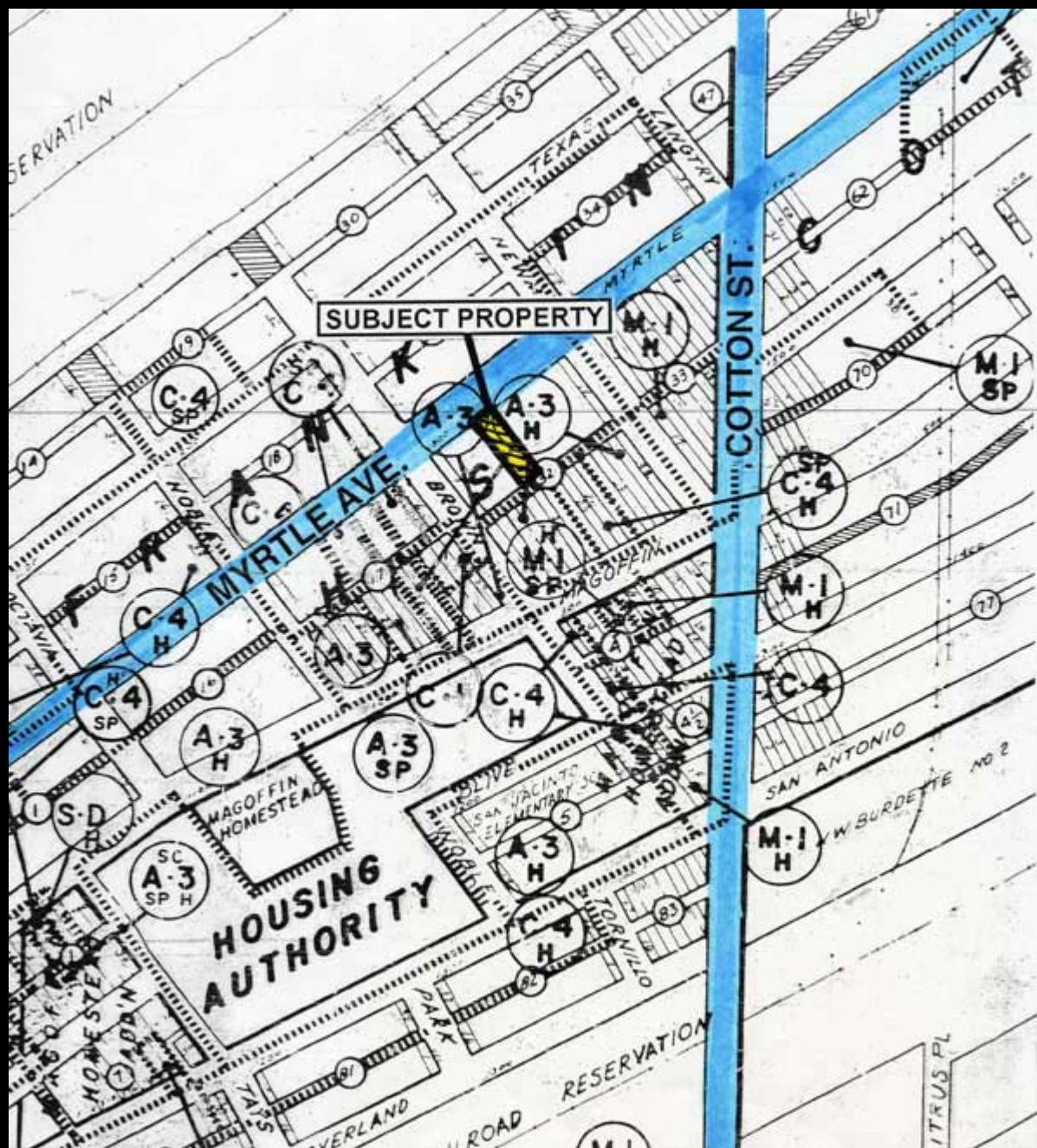


ZON04-00030



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"RETAIN FOR SUBSEQUENT COUNCIL PUBLIC HEARING"



PLANNING DEPARTMENT

APR 8 AM 9 58

**CITY OF EL PASO, TEXAS
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT**

MEMORANDUM

TO: The Honorable Mayor and City Council
Jim Martinez, Chief Administrative Officer
Patricia D. Adauto, Deputy Chief Administrative Officer
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor

FROM: Kimberly Forsyth, Urban Planner /KLF

SUBJECT: Council Agenda Item (Ordinances)
Introduction: Apr. 13, 2004
Public Hearing: May 4, 2004

DATE: Apr. 8, 2004

The following item has been scheduled for City Council action as noted above.
Relevant information is attached. If you have any questions, please contact me at 541-4631.

- A. AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00030, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 9 AND 10, BLOCK 32, FRANKLIN HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS (1318 MYRTLE AVENUE), PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE. ZONE: C-4 (COMMERCIAL). APPLICANT: OPPORTUNITY CENTER FOR THE HOMELESS / REPRESENTATIVE: WRIGHT & DALBIN ARCHITECTS, INC., 2112 MURCHISON, EL PASO, TX 79930 (DISTRICT 8)**

Office Use Only		
Mayor's Office (2 copies):	date: _____	time: _____ by: _____
Representative District 1:	date: _____	time: _____ by: _____
Representative District 2:	date: _____	time: _____ by: _____
Representative District 3:	date: _____	time: _____ by: _____
Representative District 4:	date: _____	time: _____ by: _____
Representative District 5:	date: _____	time: _____ by: _____
Representative District 6:	date: _____	time: _____ by: _____
Representative District 7:	date: _____	time: _____ by: _____
Representative District 8:	date: _____	time: _____ by: _____

c: George Sarmiento, Planning Director; Rudy Valdez, Chief Urban Planner; Fred Lopez, Urban Planner; Esther Guerrero, Planning Tech.; Lisa A. Elizondo, City Attorney; Theresa Cullen-Garney, Deputy City Atty.; Matt Watson, Assistant City Atty.



PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: April 8, 2004

TO: The Honorable Mayor and City Council
Jim Martinez, Chief Administrative Officer
Patricia D. Adauto, Deputy Chief Administrative Officer
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor

FROM: Kimberly Forsyth, Urban Planner *KUF*

SUBJECT: **ZON04-00030:** Lots 9 and 10, Block 32, Franklin Heights

LOCATION: 1318 Myrtle Avenue (District 8)

PROPOSED USE: Parking reduction for proposed SRO (single room occupancy) housing and night shelter

ZONE: C-4 (Commercial)

The City Plan Commission (CPC), on March 25, 2004, voted 7-0 to recommend **APPROVAL** of ZON04-00030, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request protects the best interest, health, safety and welfare of the public in general; and that a parking reduction for a proposed single room occupancy housing facility and night shelter is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

Attachment: Staff Report

STAFF REPORT

Special Use Permit #: ZON04-00030

Property Owner/Applicant: Opportunity Center for the Homeless

Representative(s): Frederic Dalbin

Legal Description: Lots 9 and 10, Block 32, Franklin Heights

Location: 1318 Myrtle Avenue

Representative District: # 8

Area: 10,000 square feet

Zoning: C-4 (Commercial)

Existing Use: Apartments

Proposed Use: SRO and night shelter

Request: Parking reduction:

Spaces Required:	13
Spaces Provided:	4
Number and % Reduced:	9 (69%)

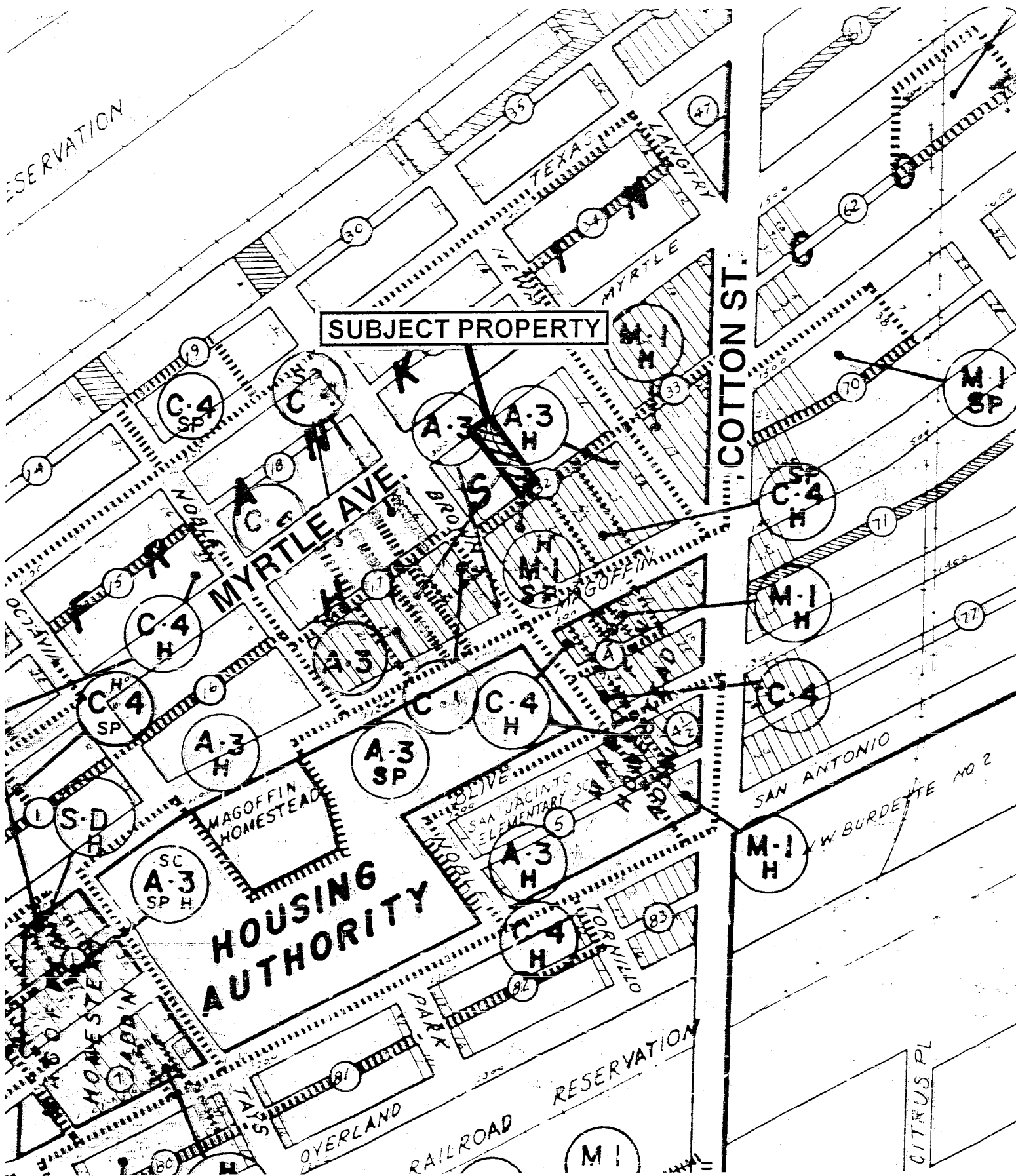
Surrounding Land Uses:


North -	C-4 (Commercial) / commercial
South -	A-3/H (Apartment/Historic) & C-4/H/sp (Commercial/Historic/ special permit) / apartments
East -	C-4 (Commercial) / commercial
West-	C-4 (Commercial) / vacant building

Year 2025 Designation: Mixed Use (Central Planning Area)

**CITY PLAN COMMISSION HEARING, March 25, 2004,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ITEM #21



 NORTH	SCALE	GENERAL LOCATION MAP	CASE NUMBER
	1" = 300'		ZON04-00030

Special Use Permit: ZON04-00030

General Information:

The applicant is requesting a special permit to allow a parking reduction to serve a proposed SRO (single room occupancy) housing facility and night shelter for the homeless. The property is currently zoned C-4 (Commercial) and is 10,000 sq. ft. in size. The site is currently apartments. The proposed site plan shows existing buildings and proposed new additions to be located on the site. Access is proposed via the alley; 4 parking spaces are provided, including 1 ADA-compliant.

A parking study conducted on Mar. 1, 2004 and verified by the Traffic Section showed that within a 300 ft. radius of the site there were 97 parking spaces. At the peak hour of 1 pm there were 48 available parking spaces. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Dept. has received no calls or letters in opposition or support of this request.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends APPROVAL of this special permit request for a parking reduction.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso "provide a wide range of housing types that respond to the needs of all economic segments of the community" and "community facilities should be equitably distributed to the extent feasible throughout the City."

The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property for Commercial land uses.

C-4 (Commercial) zoning permits a parking reduction by special permit.

The Commission must determine the following:

Will the special permit for a parking reduction protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No zoning comments.

Engineering Department, Development Division Notes:

See Enclosure 1.

Engineering Department, Traffic Division Notes:

Traffic has reviewed the parking reduction study and recommends approval of the special permit request.

Fire Department Notes:

No adverse comments.

El Paso Water Utilities Notes:

See Enclosure 2.

Planning, Research & Development Department Notes:

Planning recommends approval of the special permit request for a parking reduction. The traffic study identified sufficient parking in the immediate area.

ATTACHMENT: Site Plan; Enclosure 1, Enclosure 2.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4024.

Engineering Department
DEVELOPMENT DIVISION
COMMENTS

TO: PLANNING DEPARTMENT

DATE: March 4, 2004

FROM: Engineering Department

ADDRESS: 1318 Myrtle Ave.

ATTN: Kimberly Forsyth or
Fred Lopez, Urban Planners

PROPOSED USE: SRO and night shelter

CASE NO.: ZON04-00030

ZONE: C-4

REQUEST: Special Use Permit review, parking reduction 13 req., 4 provided, 69% reduction

LEGAL DESCRIPTION: L 9&10, Blk 32, Franklin Heights.

- ☐ 1. No comments
- ☐ 2. Must be submitted as a subdivision
- ☒ 3. Sidewalks will be required,
- ☒ 4. Grading plan and permit required.
- ☐ 5. Storm Water Pollution Prevention details required.
- ☐ 6. Storm Water Pollution Prevention plan and permit required.
- ☒ 7. Drainage plans must be approved by the City Engineer
- ☐ 8. On site ponding will be required.
- ☐ 9. Private pond is required.
- ☐ 10. No water runoff allowed unto _____.
- ☐ 11. Additional R.O.W. required.
- ☒ 12. Additional Comments: Site location is not located within the Special Flood Hazard Area. Zone C, Panel 39 B. Alley shall be paved if access through alley



Bashar Abugalyon, P. E.
Interim Assistant City Engineer

DISTRICT: 8

APPROVED

By Pete Rivera Date 3/9/04
ENGINEERING TRAFFIC DIVISION

3rd March 2004

To: City of El Paso
Department of Planning, Research & Development

Re: Parking Impact Study for 1318 Myrtle Ave
SRO & TLC Housing for the Homeless for the Opportunity center for the Homeless.

In accordance with the application for special permit (parking reduction) for the above referenced project we are providing the following traffic impact study performed on Monday March 1st 2004. The address of the property for which the study was requested is 1318 Myrtle Avenue being all of lots 9 and 10 of Block 32, Franklin Heights Addition, El Paso County, Texas.

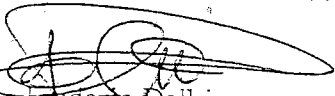
The area that was considered for the study is the area that is defined by a 300-foot radius from within the subject property as shown on the attached drawing. This enclosed area includes available parking spaces on Myrtle Street, Brown Street and Newman Street. We also included available (used or unused) parking spaces for the balance of the street.

A typical 22-foot parking space was considered in determining the number of spaces available for parking. The existing legal driveways were excluded as available parking spaces.

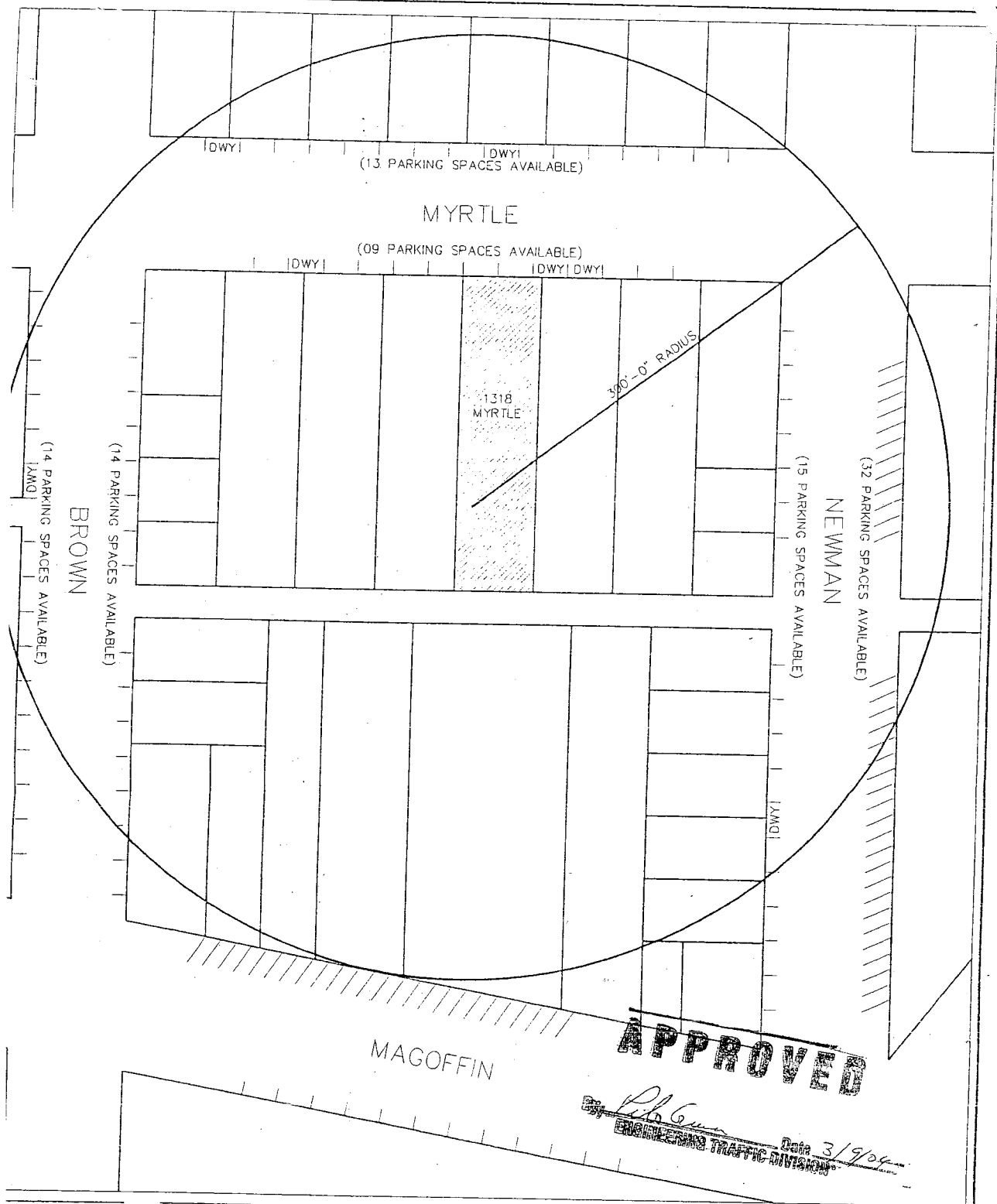
There are approximately 97 available parking spaces in the area within the 300-foot radius.

The study shows that the worst hour for available spaces is at 1 PM. The total number of occupied spaces was 49 leaving 48 free parking spaces or 49% of the total available spaces. The subject property is requesting a reduction for a total of 8 parking spaces (4 will be provided on site including a van accessible space).

Please call us at 533-3777 if you need additional information.


Frederic Dalbin
Project Architect





LEGAL DESCRIPTION

BLÖCK 32
RANKLIN HEIGHTS
LOTS 9 & 10

PARKING COUNT ON MARCH 01, 2004

TIME	MYRTLE ST. (22 AVAIL.)	BROWN ST. (28 AVAIL.)	NEWMAN ST. (47 AVAIL.)	TOTAL OCCUPIED (97 AVAIL.)
08:00 A.M.	04 OCCUPIED	07 OCCUPIED	12 OCCUPIED	23 TOTAL
09:00 A.M.	10 OCCUPIED	06 OCCUPIED	23 OCCUPIED	39 TOTAL
10:00 A.M.	17 OCCUPIED	06 OCCUPIED	21 OCCUPIED	44 TOTAL
11:00 A.M.	15 OCCUPIED	06 OCCUPIED	20 OCCUPIED	41 TOTAL
12:00 P.M.	17 OCCUPIED	05 OCCUPIED	17 OCCUPIED	39 TOTAL
01:00 P.M.	20 OCCUPIED	09 OCCUPIED	20 OCCUPIED	49 TOTAL
02:00 P.M.	09 OCCUPIED	05 OCCUPIED	24 OCCUPIED	38 TOTAL
03:00 P.M.	10 OCCUPIED	04 OCCUPIED	20 OCCUPIED	34 TOTAL
04:00 P.M.	14 OCCUPIED	08 OCCUPIED	25 OCCUPIED	47 TOTAL
05:00 P.M.	10 OCCUPIED	08 OCCUPIED	15 OCCUPIED	33 TOTAL
06:00 P.M.	04 OCCUPIED	07 OCCUPIED	12 OCCUPIED	23 TOTAL
07:00 P.M.	09 OCCUPIED	04 OCCUPIED	17 OCCUPIED	30 TOTAL
08:00 P.M.	08 OCCUPIED	05 OCCUPIED	16 OCCUPIED	29 TOTAL

lementary Drawing No.

ge Order No. _____ Item _____
ndum No. _____ Page _____ Per _____

Project:

S.R.O. T.L.C. HOUSING FOR THE HOMELESS

Drawing Title:

SITE MAP

Sheet No.

A1

OWN

Date: MARCH 02 2004

Drawn By:

Checked By:

Wright & Dalbin Architects Inc

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00030, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 9 AND 10, BLOCK 32, FRANKLIN HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS (1318 MYRTLE AVENUE), PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, the **Opportunity Center for the Homeless** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

WHEREAS, the requirements of Section 20.64.175 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in a C-4 (Commercial) District, requiring thirteen (13) off-street parking spaces to serve a proposed single room occupancy housing facility and night shelter;

Lots 9 and 10, Block 32, Franklin Heights, El Paso, El Paso County, Texas, municipally known and numbered as 1318 Myrtle Avenue; and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 69%, so that the property, required to provide thirteen (13) off-street

parking spaces, can satisfy the parking requirements by providing four (4) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

5. That if at any time the off-street parking space described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00030**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this 4th day of **May, 2004**.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:



Kimberly Forsyth, Urban Planner
Planning, Research & Development

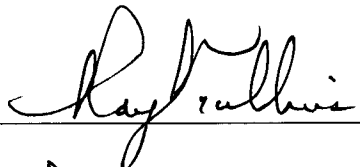


Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

AGREEMENT

The **Opportunity Center for the Homeless**, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 2nd day of April, 2004.

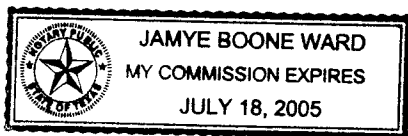
Name: 
Title: DIRECTOR


ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 2nd day of April, 2004, by Raymond Tullius for the **Opportunity Center for the Homeless**, as Applicant.

My Commission Expires:




Notary Public, State of Texas
Notary's Printed or Typed Name: JAMYE BOONE WARD